

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CITY OF SEATTLE and CITY OF
11 PORTLAND,

12 Plaintiffs,

13 vs.

14 DONALD J. TRUMP, *et al.*,

15 Defendants.

16 Case No. C17-497-RAJ

17 ORDER AND JUDGMENT GRANTING
18 DECLARATORY RELIEF

19 Upon consideration of the parties' briefs and the balance of the record, the decision in
20 *City and County of San Francisco v. Trump*, 897 F.3d 1225 (9th Cir. 2018), and the parties'
21 agreement on the appropriate disposition of this case, it is hereby

22 ADJUDGED against defendants Jefferson B. Sessions, III, Attorney General, and
23 Kirstjen M. Nielsen, Secretary of Homeland Security, that Section 9(a) of Executive Order
13,768, "Enhancing Public Safety in the Interior of the United States," is unconstitutional;
and it is further

1 ADJUDGED against the same defendants that, because Section 9(a) of Executive
2 Order 13,768 directs Executive Branch administrative agencies to withhold funding that
3 Congress has not tied to compliance with 8 U.S.C. § 1373, it would be unconstitutional for
4 Executive Branch agencies to withhold appropriated funds from plaintiffs Cities of Seattle
5 and Portland pursuant to Section 9(a) of the Executive Order.

6 This Order and Judgment does not address whether any specific statutory grant
7 program permits grants to be conditioned on compliance with 8 U.S.C. § 1373.

8 DATED this 24th day of October, 2018.
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11 The Honorable Richard A. Jones
12 United States District Judge
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